

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—FEBRUARY 16, 1880.

The Common Council of the City of Indianapolis met in the Council Chamber, on Monday evening, February 16th, A. D. 1880, at seven o'clock, in regular session.

PRESENT—Hon. John Caven, Mayor, and, *ex officio*, President of the Common Council, in the chair, and 20 members, viz.: Councilmen Bermann, Brown, Bryce, Carey, Dowling, Downey, Hamilton, Harmening, Kahn, King, Morrison, McKay, O'Connor, Pearson, Rooker, Sheppard, Shilling, Tucker, VanVorhis, and Wiese.

ABSENT, 5—viz. Councilmen Bieler, Lamb, McGinty, Prier, and Wood.

The Proceedings of the Common Council, for the regular session, held on February 2nd, 1880, having been printed, and placed on the desks of the Councilmen, said Journals were approved as published.

Sealed proposals for making the below described improvements, were opened, read, and referred to the Committees on Contracts :

- (S. O. 1, 1880.) For grading and graveling the first alley north of Buchanan street, from Greer street to East street.
- (S. O. 4, 1880.) For grading and graveling the first alley east of Shelby street, from the first alley south of Prospect street to its southern terminus; and re-pealing S. O. No. 16, 1879.
- (S. O. 5, 1880.) For bowldering the alley between Meridian and Illinois streets, from Maryland street to Georgia street.
- (S. O. 6, 1880.) For grading, and paving with brick, the north sidewalk of St. Clair street, from East street to Park avenue.
- (S. O. 7, 1880.) For paving with brick (where not already paved) the northwest sidewalk of Massachusetts avenue, from St. Clair street to Cherry street.
- (S. O. 8, 1880.) For grading and graveling Railroad street and sidewalks, from North street to St. Clair street.
- (S. O. 11, 1880.) For grading and graveling the alley between Brookside avenue and Pendleton road, from the first alley northeast of the intersection of Clifford avenue and Pendleton road, to the second alley northeast of said intersection.
- (S. O. 14, 1880.) For grading and graveling the second alley south of South street, from School street to Noble street.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, Mayor Caven, submitted the following report; which was received:

To the Common Council and Board of Aldermen of the City of Indianapolis:

Gentlemen:—The amount of forfeitures collected by me during the month of January, 1880, due the city treasury, is \$26.60, which amount I have paid to the City Treasurer, and filed his receipt therefor with the City Clerk.

Respectfully submitted,

February 16th, 1880.

J. CAVEN, Mayor.

His Honor, Mayor Caven, presented the following communication; which was referred to the Committee on Printing:

Newport, R. I., Feb. 14, 1880.

Sir:—I beg to send you herewith a copy of the first of a series of schedules of interrogatories, the answers to which will constitute the basis of a minute and extended report concerning the cities of the United States, to be published in connection with the tenth census.

This report will include all of the facts relating to cities to be derived from the reports of the Enumerators of the Census; but an opportunity will be offered for giving much more than mere statistical tables.

For the credit of my work, and for the credit of your city, I trust you will take the trouble to put these schedules into the hands of such persons as may possess, in each case, the necessary qualifications for giving an accurate and comprehensive statement concerning the subject to which each refers.

I hope I may rely upon your cordial co-operation in this matter.

With each schedule you will receive a label which will carry a package of any size through the mail without the payment of postage.

Very respectfully, your obedient servant,

GEO. E. WARING, JR.

To his Honor, the Mayor of Indianapolis, Ind.

REPORTS, ETC., FROM CITY OFFICERS.

The City Clerk submitted the following report; which was concurred in:

To the Mayor, Common Council, and Board of Aldermen:

Gentlemen:—I herewith report the following affidavits, now on file in my office, for the collection of street assessments by precepts, to-wit:

Fred. Gansberg vs. David Munson, for.....	\$ 20 14
Fred Gansberg vs David Munson, for.....	241 15
Robert P. Dunning and Jas. W. Hudson vs. Alexander Wand, for.....	55 44
Robert P. Dunning and Jas. W. Hudson vs. Alexander Wand, for	55 44
J. L. Spaulding vs. Simon S. Wiseman's heirs, viz: Martha J. Faulkner, Geo. W. Wiseman, Ervie J. Jones, Maggie A. Slusher, Simon R. Wiseman, and Walter F. Wiseman, for.....	17 00
J. L. Spaulding vs. Wm. C. Holms, for.....	31 50

J. L. Spaulding vs. Simon S. Wiseman's heirs, viz: Martha J. Faulkner, Geo. W. Wiseman, Ervie J. Jones, Maggie A. Slusher, Simon R. Wiseman, and Walter F. Wiseman, for.....	4 50
J. L. Spaulding vs. Edward Thomas's heirs, viz: Wm. S. Thomas, Jno. M. Thomas, Nelson Thomas, Francis H. Finley and Ida J. Finley, his wife; Edward Thomas; Robt. Thomas, Geo. Haverstick, Harry Haverstick, and Alex. Colvin, guar. John Colvin, Geo. Haverstick, guar. Sarah C. Haverstick, Ida May Haverstick, for.....	21 26

And recommend that you order the precepts to issue.

Respectfully submitted,

JOS. T. MAGNER, City Clerk.

And the precepts were ordered to issue, by the following vote :

AYES, 15—viz. Councilmen Bermann, Carey, Dowling, Downey, Hamilton, Har-
mening, Kahn, McKay, O'Connor, Pearson, Rooker, Shilling, Tucker, Van-
Vorhis, and Wiese.

NAYS—None.

The Wood Measurer, east Market, submitted the following report ; which was received :

Indianapolis, February 16, 1880.

MR. MAGNER, City Clerk,

Sir.—In accordance with the resolution of the Board of Aldermen and the City Council, and your official order to me, I have the pleasure of announcing to you that I have succeeded in having all of the wagons and vehicles containing wood on the market, changed to a uniform width.

MASTEN DASHIELL,
Wood Measurer East Market.

The City Attorney submitted the following report ; which was concurred in :

Indianapolis, February 16th, 1880.

To the Mayor, Common Council, and Board of Aldermen of the City of Indianapolis :

Gentlemen.—I have to report that since your last meeting, the case of Sarah E. Milburn vs. The City, has been tried in the Superior Court, and resulted in a verdict for \$1,500.00.

This was an action for damages which plaintiff claims to have sustained by falling into an open cistern at the intersection of two streets just south of Greenlawn Cemetery.

I recommend that in the event that the motion for new trial is overruled, the case be appealed.

I also wish to report that in the case of Malittie Fontaine vs. The City, et. al., pending in the Circuit Court, the plaintiff has proposed to compromise, so far as the city is concerned, for \$100 00, upon the payment of which she will quit-claim to the city her interest in the property in controversy.

This is an action to redeem from a Sheriff sale through which the city derives title to two lots on east Washington street.

I have examined the case, and am of the opinion that the proposition should be accepted, as the plaintiff will, in all probability, establish an interest of greater value than the sum she proposes to take. I would also add that prompt action should be taken, as the case will be called for trial before the next meeting of your honorable bodies.

Respectfully submitted,

JOHN A. HENRY, City Attorney.

On motion by Councilman McKay, the proposition of Malittie Fontaine, mentioned in the foregoing report, was accepted, and the Committees on Accounts and Claims instructed to incorporate the amount in their next appropriation ordinance.

The Chief Fire Engineer submitted the following report; which was received:

To Mayor Caven, Board of Aldermen, and Common Council of the City of Indianapolis:

Gentlemen:—I have been officially notified by the Water Works Company, that the following hydrants have been located, viz:

- No. 565, northeast corner of Columbia and Hill avenues.
- No. 566, southeast corner of Columbia and Lincoln avenues.
- No. 567, southeast corner of Lincoln avenue and Yandes street.
- No. 568, southeast corner of Lincoln avenue and I., P. and C. R. R. tracks.
- No. 569, southeast corner of Lincoln avenue and Rohampton street.
- No. 570, southwest corner of Seventh street and Rohampton street.
- No. 571, northwest corner of Eighth street and Rohampton street.
- No. 572, southwest corner of Ninth street and Rohampton street.
- No. 573, southeast corner of Ninth street and Ash street.
- No. 574, southwest corner of Ninth street and College avenue.
- No. 575, southwest corner of Eighth street and College avenue.

These hydrants were ordered by the Council, and located by the Fire Board and Chief Fire Engineer, and have been tested, and are now in good working order. Said Water Works Co. propose to charge the city for these hydrants at the rate of \$50.00 per year from date of notice, which was February 3d, 1880.

Yours, respectfully,

J. G. PENDERGAST, Chief Fire Engineer.

PENDING ORDINANCES.

G. O. 7, 1880—An Ordinance regulating the sale of Goods, Wares and Merchandise, in the city of Indianapolis.

Was read the second time, ordered to be engrossed, read the third time and passed by the following vote:

AYES, 17—viz. Councilmen Bermann, Carey, Dowling, Downey, Hamilton, Har-
mening, Kahn, King, Morrison, McKay, O'Connor, Pearson, Rooker, Shilling,
Tucker, VanVorhis, and Wiese.

NAYS—None.

Councilman VanVorhis, by consent, presented the following remonstrance; which was referred to the Board of Public Improvements and Committee on Streets and Alleys:

MERIDIAN STREET, BETWEEN ST. CLAIR AND TINKER STREETS, }
Indianapolis, February 4, 1880. }

To His Honor, the Mayor, Members of the Board of Aldermen,

and Common Council of the City of Indianapolis:

Your petitioners, being tax-payers on lots on Meridian street, would respectfully set forth that they are opposed to having the wooden blocks used for paving said street. Our reasons are:

- 1st. High medical authority pronounce them the source of disease.
- 2d. They are easily used up.
- 3d. They are very costly.
- 4th. MacAdam pavement is far more economical, more enduring, more safe for sewerage, gas pipes, &c.

E. H. Ferguson, 62½ feet; M. A. VanDoren, 35 feet; J. A. Root, 69½ feet; Mrs. T. H. Bowles, 40 feet; Sarah Reeves, 31¼ feet; J. D. and M. B. Carmichael, 62½ feet; G. D. Staats, 37 feet; John H. Ohr, 31¼ feet; Charles Mayer, 205 feet; John S. Spann, 62½ feet; W. S. Webb, 125 feet; Henry D. Pierce, 70 feet; Isaac Pattison, 110 feet; Barbara Morrison, et. al., 50 feet; John C. Shoemaker, 62½ feet; W. H. Allen, 155 feet; Fred. Goepper, 157 feet; Lucian Barbour, about 208 feet; Mrs. J. D. Vinnedge, 104 feet; C. A. Ferguson, 200 feet; Mrs. C. Hug, 56 feet; Drew & Bennett, agts., 248 feet; Thomas Davis, 80 feet; Wm. Sullivan, 130 feet; W. M. Tout, 120 feet; Mrs. J. O. Kadeliffe, 37½ feet; Wm. S. Hubbard, 460 feet; Third Presbyterian Church, by Conrad Baker, President of Board of Trustees, 100 feet; James Hasson, 31¼ feet; Marietta A. Davis, by John S. Spann & Co., agts., 61 feet; Theresa C. Vinton, by M. E. Vinton, atty. in fact, 200 feet; Mrs. Geo. Tousey, 200 feet; Oscar B. Hord, 100 feet. I am in favor of the Macadam pavement, as in clause 4 of the heading. G. B. Yandes, 97 feet.

S. O. 15, 1880—An Ordinance to provide for re-graveling the first alley south of Harrison street, running from Harrison street to Cedar street.

Was read the second time and referred to the Board of Public Improvements.

REPORTS, ETC., FROM OFFICIAL BOARDS.

The Police Board, through Councilman Downey, submitted the following report; which was approved:

Indianapolis, February 16, 1880.

To the Mayor, Common Council and Board of Aldermen:

Gentlemen:—We hereby report that unclaimed stolen property has been sold at the Central Station, to the amount of seventeen and 95-100 dollars (\$17.95), which sum was paid to the City Treasurer on the 16th day of February, 1880, and his receipt filed with the City Clerk.

BOARD OF POLICE,
By J. T. Downey, Sec'y.

The Board of Public Improvements, through Councilman KcKay, submitted the following report; which was concurred in:

Indianapolis, Feb. 16th, 1880.

To the Mayor and Common Council :

Gentlemen:—The undersigned, to whom was referred a motion granting I. P. Evans & Co. permission to erect iron tanks on their property near the Union Railway tracks, on south Delaware street, sufficient to contain fifty barrels of naphtha, to be used for manufacturing purposes, would report that they have had the matter under consideration, and recommend that said motion be adopted.

Respectfully submitted,

M. H. McKay,

H. Coburn,

Board of Public Improvements.

JOHN A. HENRY, City Attorney.

The Board of Public Improvements, through Councilman McKay, introduced the following entitled ordinance ; which was read the first time :

S. O. 17, 1880—An Ordinance to provide for grading and graveling First street, from Pennsylvania street to Meridian street.

The Board of Health submitted the following report ; which was received :

Report of Deaths in the City of Indianapolis, from the 1st day of February, to the 15th day of Feb. 1880—inclusive.

Under 1 year.....	20
1 to 2 years.....	7
2 to 5 ".....	10
5 to 10 ".....	2
10 to 15 ".....	2
15 to 20 ".....	2
20 to 25 ".....	3
25 to 30 ".....	4
30 to 40 ".....	0
40 to 50 ".....	5
50 to 60 ".....	3
60 to 70 ".....	1
70 to 80 ".....	5
80 to 90 ".....	1
90 to 100 ".....	1
100 and upwards.....	1
Unknown.....	1
Total.....	68

Respectfully,

Henry Jameson, M. D., President,

W. E. Jeffries, M. D., Secretary,
Board of Health.

The Board of Health submitted the following communication :

Indianapolis, February 16th, 1880.

To the Mayor, Common Council, and Board of Aldermen :

Gentlemen:—Numerous rumors and reports are being circulated in this community, accusing some member of this Board with being connected, in some way, with the management or ownership of one of the vault cleaning machines. Such reports are damaging to our official integrity, and are working against the efficient administration of this department. We therefore respectfully ask that your honorable

bodies order a full and complete investigation of said charges, and clearly establish the truth or falsity of the same.

Respectfully,

HENRY JAMESON, President.

W. E. JEFFRIES, M. D., Secretary.

Councilman Morrison moved to refer the communication to a Special Committee of five, (three members of the Common Council and two members of the Board of Aldermen) and the City Attorney for investigation.

Which motion was adopted, and the Chair appointed Councilmen Morrison, VanVorhis, and Dowling, as the Council members of such committee.

REPORTS, ETC., FROM COMMITTEES.

The Committee on Bridges, through Councilman King, submitted the following report :

To the Common Council of the City of Indianapolis :

Gentlemen:—Your Committee on Bridges, to whom were referred sundry papers, respectfully report thereon as follows :

1st. Is a motion "that the City Civil Engineer be authorized to prepare plans and specifications and estimates of cost of a new wooden bridge over canal at Blackford street." Would state that we have duly considered the matter, and would report adversely to the motion at present.

2d. Is a motion "that the City Civil Engineer be, and is hereby, directed to advertise for proposals for building a bridge over Pogue's run on Dorman street, such bridge to be built with stone abutments, and the superstructure of that portion of the old Delaware street viaduct now laying on the bank of said creek at Hanna street." Would state that we have duly considered the matter, and would report adversely to the motion at present.

3d. Is a petition by Samuel J Patterson and others, asking that a new bridge be placed on mill-race at the end of Elizabeth street; also, a motion to repair the same. Would state that we have duly considered the matter, and would report that this bridge is of no great public utility, and therefore recommend that no action be taken on same at present.

Respectfully submitted,

Geo. King,
M. H. McKay,
Henry Bermann,
Committee on Bridges.

The first and second clauses were referred back to the committee, together with the Chief Fire Engineer. The third clause was concurred in.

The Finance Committee, through Councilman Kahn, submitted the following report; which was concurred in :

To the Mayor, Common Council, and Board of Aldermen of the City of Indianapolis :

Gentlemen:—Your committee, to whom sundry papers were referred, would respectfully report thereon as follows :

1st. Is the report of the City Clerk, showing amount of orders drawn on the city treasury during the month of January, 1880; also, report of the City Treasurer, showing receipts and disbursements for the month of January, 1880.

After careful examination of the books of the respective officers, we find the said reports true and correct; the balance in the treasury being in round numbers, \$50,000.00.

2d. Is the report of the Committee on Printing of the City Statistics for State; also recommending further work be done.

After examination, we deem the said work not expedient at the present time, the financial condition of the city not permitting.

3d. Is a motion "that with a view to the reduction of the bonded indebtedness of the city of Indianapolis by the amount of \$500,000, the Council and Aldermanic Committee on Finance are hereby instructed to consider the expediency, and enquire into the possibility of exchanging the bonds issued by the Union Railroad Transfer and Stockyards Company, known as the "Belt Railroad," for the city's bonds issued in aid of said railroad corporation; said committees being hereby ordered to report fully and explicitly at the next regular meeting of this Common Council."

We would report upon this that we have made due inquiries of parties supposed to know the holders of these bonds, but could only find holders of about \$120,000. We further learn that in order to make the proposed exchange, the city would have to pay a very large bonus, not at all in harmony with the present financial condition of the city. We would therefore recommend that for the present no further action be taken.

Respectfully submitted,

Leon Kahn,
C. F. Wiese,
H. J. Prier,
Committee on Finance.

The Committee on Streets and Alleys, through Councilman Downey, submitted the following report; which was concurred in:

To the Mayor and Common Council:

Gentlemen:—Your Committees on Streets and Alleys, to whom was referred the petition of many citizens praying for the purchase of the Three Notch Gravel Road, and the removal of the toll-gate outside of the city limits, would respectfully ask that further time be granted for its more careful consideration; also that the City Attorney be added.

Most respectfully submitted,

H. E. Drew,	J. T. Downey,
H. Seibert,	John O'Connor,
W. F. Piel,	C. H. Harmening,
Aldermanic Committee.	Council Committee.

The Committee on Railroads, through Councilman Kahn, submitted the following report; which was concurred in:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Railroads, to whom was referred the petition of W. H. Jones, et al., to have the railroads on Louisiana street to conform with the ordinance granting them right of way, would respectfully ask that further time be granted for more careful consideration; also that City Attorney be added.

Yours, respectfully,

H. J. Prier,
Leon Kahn,
Council Committee.

MESSAGES FROM THE BOARD OF ALDERMEN.

The following message was read and received :

To the Mayor and Common Council :

Gentlemen:—The Board of Aldermen, at its regular session, held on February 4th, 1880, for the second time refused to concurrently adopt the resolution of your honorable body, providing for the expenditure of \$200 for horse and vehicle for use of the Chief of Police.

For the Board of Aldermen,
GEO. T. BREUNIG, Clerk.

Councilman Kahn moved that this body now recede from its former action in adopting the above described resolution.

Councilman Rooker moved to lay the motion on the table.

Which motion to lay on the table failed of adoption by the following vote :

AYES, 6—viz. Councilmen Carey, Downey, Harmening, Rooker, Sheppard, and Tucker.

NAYS, 11—viz. Councilmen Bermann, Dowling, Hamilton, Kahn, King, McKay, O'Connor, Pearson, Shilling, VanVorhis, and Wiese.

Councilman Kahn's motion was then adopted.

The following message was read and received :

To the Mayor and Common Council :

Gentlemen:—At a regular session of the Board of Aldermen, held on February 4th, 1880, said body passed General Ordinance No. 4, 1880, entitled "An ordinance granting Charles T. Gilmore a license to carry on, maintain and exhibit a Museum and Menagerie in the city of Indianapolis," (passed by the Common Council February 2d, 1880), after amending the same by increasing the license tax from \$25.00 per annum to \$100.00 per annum.

For the Board of Aldermen,
GEO. T. BREUNIG, Clerk.

On motion, the above entitled ordinance, with the amendment, was referred to the Joint Committee on Finance.

The following message was read and received :

To the Mayor and Common Council :

Gentlemen:—At a regular session of the Board of Aldermen, held on February 4th, 1880, said body refused, by a vote of two in the affirmative and six in the negative, to pass General Ordinance No. 1, 1880. "An Ordinance respecting the erection of a Market, Hall, and City Offices on the east Market Place; appointing commissioners to advertise for and select plans, defining their duties, and appropriating money to defray the necessary expenses thereof."

For the Board of Aldermen,
GEO. T. BREUNIG, Clerk.

On motion, this body determined to adhere to its action of January 19th, 1880, when the above entitled ordinance was passed.

The following message was read and received :

To the Mayor and Common Council :

Gentlemen:—The Board of Aldermen, at its regular session, held on February 4th, 1880, passed General Ordinance No. 5C, 1879, "An Ordinance to provide for the prevention of frauds in the sale of Grain, Hay and Produce in the city of Indianapolis," after amending the same by substituting three new sections, prepared by the City Attorney, for sections 4, 5, and 6, of the original ordinance.

For the Board of Aldermen,

GEO. T. BREUNIG, Clerk.

On motion, the above entitled ordinance, with amendments, was referred to the Committee on Judiciary and City Attorney.

Councilman Morrison moved to reconsider the vote by which this body determined to adhere to its action in passing G. O. 1, 1880.

Which motion to reconsider failed to be adopted by the following vote :

AYES, 9—viz. Councilmen Bermann, Carey, Hamilton, Kahn, King, Morrison, McKay, VanVorhis, and Wiese.

NAYS 11—viz. Councilmen Brown, Bryce, Dowling, Downey, Harmening, O'Connor, Pearson, Rooker, Sheppard, Shilling, and Tucker.

NEW ORDINANCES.

Under this order of business, the following entitled ordinances were introduced, and were severally read the first time :

By Councilman Bermann :

S. O. 18, 1880—An Ordinance to provide for grading, curbing and bowldering (where not already curbed and bowldered), the west gutter of Delaware street, from Merrill street to Madison avenue.

Councilman Downey presented the following remonstrance ; which was received :

Indianapolis, Jan. 31st, 1880.

To the Mayor and Common Council of the City of Indianapolis :

Gentlemen:—The undersigned, owners of real estate fronting on the first alley east of East street, between Ohio street and New York street, respectfully remonstrate against the passage of an ordinance providing for the grading and graveling of said alley. And your petitioners will ever pray, etc.

C. A. Biedenmeister, from north to south 210 feet ;
F. W. Dunmeyer, from north to south 205 feet ;
W. Wilding, from north to south 35 feet ; J.
Deitch, from north to south 210 feet ; Trustees
of the German Luth. Church ; C. H. Schwier,
from north to south 135 feet.

Councilman Kahn presented the following petition ; which was referred to the Board of Public Improvements :

Indianapolis, February 3, 1880.

To the Mayor, Common Council, and Board of Aldermen of the City of Indianapolis :

Gentlemen :—I see by reference to Council proceedings of January 5th, 1880, that a remonstrance was filed against the proposed improvement of Highland street, from Washington to Ohio street, and against the passage of the ordinance for said improvement.

The remonstrants seek to have the ordinance establish the grade, instead of the City Civil Engineer ! Was such a thing ever done or heard of before ? Have not the grades of all the streets been established, and the work done thereon according to stakes set by the City Civil Engineer ? If the Council is to establish by ordinance the grade of the streets to be improved, what is the need of an Engineer ?

Now this proposed improvement is of a street (Highland) running north and south from Washington to Ohio street, thus crossing Market street, which runs east and west. Now the grade of Washington street and of Market street has already been established ; so that it is naturally to be supposed that Highland street will start from Washington street in conformity with the grade of Washington street, and that—as the grade of Market street has been established, and the street improved, according to the established grade—the grade of Highland street, at the intersection or crossing of Market street, must conform to the grade of Market street. It was evidently the intention of the city authorities, when the grade of Market street was established, that such should be the case ; for a public fire cistern was placed in Highland street at the crossing of Market, which would be destroyed if the grade of Highland street should be lowered at that point as the remonstrants seem to desire. Then see the injustice and damage that would be done the undersigned, if the grade of Market street should be changed and lowered, to suit the tastes of the remonstrants.

In addition to the additional expense of re-improving Market street, should the grade thereof be changed (having paid hundreds of dollars for its original improvement according to the grade already established,) the shade trees planted and growing, would be lost ; fences would have to be torn down and rebuilt, and yards regraded ; besides, if the grade should be lowered so as to drain the "valley" half way between Washington and Market streets, (mentioned by remonstrants,) into Market street, it would leave the house of the undersigned from fifteen to twenty feet above the grade of said street so changed, and would irreparably damage his said property ; and besides, the cistern above referred to would be perfectly undermined.

Now if the grade of Highland street is established according to the grade of Market and Washington streets, as now established, no more water will be drained in or upon the property of the remonstrants than at present ; and it has never rained hard enough in this latitude to wash a handful of gravel along the grade that would be required as aforesaid.

If your honorable bodies will examine the territory mentioned in the remonstrance, you will find no "steep knoll" at the intersection of Highland and Market streets, and will find, I humbly believe, that Highland street should be made in grade to conform to that already established on Market street ; and against any change in the grade of Market street, the undersigned, a property holder thereon, most earnestly and respectfully protests.

J. L. MITCHELL,

Property holder on Highland street.

N. B. By reference to the annexed petition of some of the remonstrants, your honorable bodies will see that in August, 1878, said persons thought that the improvement of Highland street was a public necessity.

"To the Honorable, the Mayor, Common Council, and

Board of Aldermen of the City of Indianapolis :

The undersigned, citizens and property owners fronting on Highland street, praying your honorable bodies to order the grading and graveling of said street and

sidewalks, with good gravel, and bowldering and curbing with stone the gutters of the same, from Washington street north to Miami street. Said improvement has become a public necessity, and it is important it should be speedily and well done. And your petitioners will ever pray.

Edward King, 459 feet;
 Frederick Ostermeyer, 237 feet;
 Fred. Knefler, 333 feet."

Indianapolis, August 15, 1878.

Respectfully,

J. L. MITCHELL.

By Councilman Morrison :

G. O. 9, 1880—An Ordinance to establish a uniform system of erecting and maintaining Telegraph Poles and Electric Wires in the city of Indianapolis.

On motion the above entitled ordinance was referred to the Committee on Judiciary, the Mayor, and City Attorney.

By Councilman McKay :

S. O. 19, 1880—An Ordinance to provide for grading and graveling the alley between Alabama and Delaware streets, from Seventh or Tinker street to the State Ditch.

The above entitled ordinance was accompanied by the following petition ; which was received :

To the Common Council and Board of Aldermen of the City of Indianapolis :

Gentlemen:—We, the undersigned, residents and owners of real estate abutting on the alley between Alabama and Delaware streets, north from Tinker street to the State Ditch, respectfully pray your honorable bodies to improve the said alley by grading and graveling the same in a permanent and substantial manner, so as to drain said alley and the adjoining lots. And we will ever pray, &c.

Austin F. Denny,
 Justinian H. Hull.

By Councilman Tucker :

S. O. 20, 1880—An Ordinance to provide for improving Fletcher avenue, from Noble street to Dillon street ; by widening the sidewalks, for lawns, to a width of twenty-five (25) feet, (including the brick sidewalks already laid), and curbing with stone, and bowldering the gutters to a width of eight (8) feet.

The above entitled ordinance was accompanied by the following petition ; which, together with the ordinance, was referred to the Board of Public Improvements :

Indianapolis, January 9th, 1880.

To the Mayor, Common Council and Board of Aldermen of the City of Indianapolis :

Gentlemen:—The undersigned, owners of real estate fronting on Fletcher avenue, between Noble street and Dillon street, respectfully petition for the passage of an ordinance providing for the widening of the sidewalks, for lawns, to a width of 25

feet, (including the sidewalks already laid), and curbing with stone, and bowldering the gutters to a width of 8 feet. And your petitioners will ever pray, &c.

S. A. Fletcher, Jr., 141 feet; James M. Buchanan, 30 feet; C. Richmond, 58 $\frac{3}{4}$ feet; A. E. Fletcher, 60 feet; Isaiah King, 30 feet; N. Yoke, 30 feet; W. H. Tucker, 60 feet; Mrs. C. A. Condow, 30 feet; C. Ruckersfeldt, 30 feet; A. S. Foster, 60 feet; Fred. Lang, 30 feet; D. DeRuiter, 30 feet; E. Reeves, 30 feet; P. M. Gallahue, 30 feet, and Fred. A. Miller, 30 feet.

By Councilman VanVorhis :

G. O. 10, 1880—An Ordinance relative to the Erection and Maintenance of Privies, Water-Closets, Urinals, Cesspools, and other Receptacles of Fluid or Semi-Fluid Filth in the City of Indianapolis; and regulating the Location, Construction, Cleansing, and Emptying of the same.

MISCELLANEOUS.

Councilman Bermann offered the following motions; which were adopted :

That James Mahoney be, and is hereby, granted permission to grade and gravel the alley in the rear of his lot, being a part of the first alley north of Buchanan street, from Greer street to East street; such work to be done within 60 days, at his own expense, and under the direction of the City Civil Engineer, who is hereby directed to set the proper stakes.

That the City Civil Engineer be directed to report to this Council, at its next regular meeting, the probable cost of extending a pipe sewer from the north side of Wyoming street along the east side of Delaware street to the north side of McCarty street, thence across Delaware to west gutter.

Councilman Bermann offered the following motions; which were referred to the Board of Public Improvements :

That the Street Commissioner be, and is hereby, directed to make crossings of broken stone, on north and south sides of McCarty street, at the crossing of Delaware street.

That the Street Commissioner be instructed to fill a hole in the sidewalk on Madison avenue, just south of the J., M. & I. Railway track.

Councilman Downey presented the following petition; which was referred to the Committee on Judiciary, His Honor, the Mayor, and City Attorney :

To the Honorable Council of the City of Indianapolis, Indiana :

Gentlemen :—Your petitioner would respectfully show that, in December, 1876, an ordinance was duly passed by this honorable body, providing for the erection of a Work House upon the South Park of said city, and that in pursuance of said design, as set forth in said ordinance, your petitioner was duly, and by the proper officers

of said city, employed as an architect to prepare proper plans and specifications for the erection of said Work House in accordance with said ordinance. That he did so prepare such plans and specifications, and that the same were duly accepted by the officers of this city, and proposals for the erection of such building, in accordance therewith, duly received by said city through her duly authorized officers, and such contract was let to Oliver Kelly, and his bond duly filed and approved for the completion of such work; but that afterwards, by the action of your honorable body, it was determined not to erect said building, and said contract was annulled. But your petitioner would show that he did and performed the work for which he was employed in good faith, and that by an agreement with the duly authorized officers of said city, at the time of such employment, he was to receive the sum of one hundred and fifty dollars (\$150.00) for his said work; but he says that he has never been paid said sum, or any part thereof, nor received any compensation whatever for his said work, and he therefore prays that said sum of one hundred and fifty dollars (\$150.00) be allowed and paid to him out of the treasury of said city of Indianapolis.

Indianapolis, Feb. 16, 1880.

All of which is respectfully submitted,

EDWIN MAY.

Councilman Hamilton presented the following communication and claim:

To the Common Council and Board of Aldermen of the City of Indianapolis:

Gentlemen:—In months of September and October, 1879, I served your honorable bodies in the capacity of clerk of your official boards, and committees, and did much clerical service for individual Councilmen and Aldermen; at least I did such service for over thirty out of the aggregate of thirty-five of your membership.

During aforesaid two months, I averaged fully eight hours a day of exhausting labor—brain and pen.

At the regular session of the Common Council, held on September 1st, 1879, the so-called "Committee Clerk Ordinance" was passed by the Common Council. As nineteen out of the twenty-five Councilmen had signed a document recommending me for that position (which was a majority of both bodies), it was natural for me to suppose that I was the choice of your honorable bodies. I, therefore, entered fully upon the duties of said office, and discharged them faithfully, and, I believe, with reasonable satisfaction, for two months.

Complications subsequently intervened, and I lost the position; but not until after the first of November, 1879. Of course, my services were willingly and voluntarily given to all official boards, committees, and individual members of your honorable bodies, but not with such self-sacrifice as could be paid with a "thank you." I, therefore, herewith file my claim for an unpaid account of \$100, and respectfully ask that you refer the same to the Joint Committees on Accounts and Claims, with instructions to insert said claim in their next appropriation ordinance.

GEO. H. FLEMING.

THE CITY OF INDIANAPOLIS,

To Geo. H. Fleming,

Dr.

Services during September and October, 1879, rendered Official Boards, Standing Committees, etc.....	\$150 00
Less appropriation made to Com't on Printing.....	50 00
	\$100 00

STATE OF INDIANA, MARION COUNTY, ss:

Geo. H. Fleming, being duly sworn, upon oath says that the above account is correct, and services rendered as stated, and that the charges are reasonable, and that said am't. of \$100 is due and unpaid.

GEO. H. FLEMING.

Subscribed and sworn to this 31st day of January, 1880.

[SEAL.]

GEO. T. BREUNIG, N. P.

Councilman Hamilton moved that the claim be allowed. Which motion was not adopted.

Councilman Kahn presented the following petition; which was referred to the Committee on Rail Roads:

Indianapolis, February 9, 1880.

To the Honorable Body of City Council:

Having daily crossed, for the last eighteen years, the east Washington and Noble street railroad crossings, and although being a careful man and experienced driver, I have scarcely escaped with my life and those of my children, this very morning; and moreover, danger stares you in the face every time you are obliged to cross, especially at night. Therefore, I pray your honorable body to pass immediately a necessary act to provide said watchman with a twenty-foot pole, and a red flag on the end, and until 9 o'clock at night a red light, to be held up in the center of the street at said railroad crossings, until there is no danger in crossing; or any other law you may see fit to answer the emergency, will greatly oblige humanity.

Yours, respectfully,

W. F. Rupp.

Councilman Morrison offered the following motions; which were adopted:

That the Committee on Public Light be, and are hereby, ordered to have the lamp post on Michigan street, on the south side of said street, between Tennessee and Illinois streets, removed to the alley-crossing between said streets.

That the Committee on Printing be requested to file, at the next regular meeting of this Council, an itemized statement of all moneys expended by said committee in procuring what is known as Statistical Information for the State Bureau of Statistics, showing rate per day paid to each employee.

Councilman Morrison offered the following resolution; which was referred to the Committee on Judiciary and City Attorney:

Resolved, That from and after the first day of March, 1880, the assistants and employes in the City Civil Engineer's department, shall consist of the following: One rodman, one axeman, and one draughtsman, and no more; and said employes shall receive for their services, during the time actually employed, the following sums, to-wit: Rodman, one dollar and seventy-five cents per day; axeman, one dollar and seventy-five cents per day, and draughtsman two dollars per day, and no more.

If at any time it shall become necessary to have any draughting done, at the expense of the city, where the cost thereof will exceed twenty-five dollars, the Civil Engineer shall apply to the Common Council and Board of Aldermen for an order authorizing the same before having said work done.

Resolved, That the Board of Public Improvements be, and they are hereby, directed to see that the terms of the foregoing resolution are complied with; and they are hereby required to fix the pay of the employes therein named, in accordance therewith.

Councilman McKay presented the following report; which was received:

To the Mayor, Common Council and Board of Aldermen of the City of Indianapolis:

The undersigned, representing your city on the Board of Directors of the "Union Railroad Transfer and Stock-Yard Company," submit the following report:

The road of the said company is completed, and well equipped and furnished; and it has a business that is well established and reliable, and steadily increasing.

The number of live stock handled at its yard, during the year that has just passed, was one million three hundred and seventy thousand; and it has relieved the city from the passage through it of near a quarter of a million of freight cars; and, aided by proper legislation from you, the whole of the through freight cars on the several railroads passing through this city—except the Peru, which has no connection with this road—might be transferred, and passed around the city over this road, relieving the city from the hindrance to travel, and other dangers and inconveniences coming from the passage of such cars through the city to a still larger extent.

The amount expended in the construction and equipment of the road, and for buildings erected, and improvements made in connection therewith, may be stated in round numbers at nine hundred thousand dollars. During the last year quite extensive additions were made to the sheds, for the accommodation of stock; two new large locomotives were purchased, and are now in use on the road—and other property has been acquired which adds largely to the ability of the company to transact its business and accommodate the wants of the trading public, and to the security of the city.

The interest on the bonded debt has been punctually paid by the company; and, in our opinion, there exists no reasonable grounds to doubt of its being punctually paid hereafter, as it falls due.

The success of the company has added much, already, to the commercial and business interests of this city; and the prospect is favorable for a large increase in the future.

In spite of the hard times and consequent falling off in business, several manufacturing enterprises of considerable magnitude have been established and are in successful operation on the line of the road, and others are in contemplation. Indeed, with reviving business and trade, and the increasing demand for manufactured articles which will follow, it is safe to say that manufactories and shops for the production of almost everything useful and necessary will be established along the entire line of this road.

The company, to this time, has never failed to meet its engagements. Its financial condition is good; its moneyed assets in excess of its floating debt—leaving, practically, no debts existing except the bonded debt.

We take pleasure in stating it as our opinion that the success of the company, and its steadily increasing business, joined to the prudent and successful management of its business thus far, gives good promise that it will in the end fulfill all of its agreements, and the city suffer no loss by lending her aid to this useful and profitable enterprise.

We have been in attendance at each meeting of the Board of Directors of the company, since our election, and have labored faithfully to discharge our duties to the best advantage of the interests involved; and we trust it will prove satisfactory to your honorable bodies.

Our relations with the directors and officers of the company have been very pleasant; and they have afforded us every facility for information concerning the condition and business of the company desired.

Respectfully submitted,

Napoleon B. Taylor,
John M. Kitchen.

Councilman McKay presented the following petition; which was referred to the Committee on Judiciary and City Attorney:

To the Mayor and Common Council of the City of Indianapolis:

Alfred and John C. S. Harrison, by Harry J. Milligan, their attorney, represent that they are the owners in fee of the following real estate in Marion county, Indi-

ana, to-wit: Lot number sixteen (16) in Geo. W. Parker's subdivision of lots number one (1), two (2), three (3), four (4), five (5), six (6), seven (7) and eight (8), of Ovid Butler's subdivision of a part of the southeast quarter of section thirty-six (36), township sixteen (16) north, of range three (3) east, in the city of Indianapolis. Said lot is thirty-five (35) feet and four (4) inches wide.

The city of Indianapolis has graded and graveled, and is using for a public highway, fifteen feet off of the west side of said lot, running the whole length of the same, leaving petitioner a narrow strip of land almost worthless.

In cause No. 14,906, Superior Court, wherein petitioners were plaintiffs and the city was defendant, the right of the city to said fifteen feet was in litigation. After a thorough investigation, Judge Elliott held that the city had no right, title or interest in or to said real estate, or any part of it, and that her use of said fifteen feet for a street or sidewalk, or any other purpose, was unlawful and wrongful. Petitioners are entitled to inclose said fifteen feet, and thereby interfere with the use of said street and sidewalks, and will take this course unless some satisfactory arrangement is made.

The commissioners representing the city estimated the damages to said lot by the taking of said fifteen feet, at \$800. To avoid litigation, the petitioners are willing to accept said \$800, and give satisfactory quit-claim deed to said fifteen feet, and thereby put at rest a matter which otherwise may lead to litigation.

This offer is made as a compromise, and is not to be used in evidence in any matter.

ALFRED and JOHN C. S. HARRISON,
By Harry J. Milligan.

Councilman McKay presented the following petition; which was referred to the Committee on Judiciary and City Attorney:

To the Honorable, the Common Council of the City of Indianapolis:

The affiant, John Young, being duly sworn, says on oath, that he has lately discovered the cause of a serious error in the amount of taxes charged against him.

He owns a house and lot valued at \$2,500, and \$296 of taxes are held against him from 1877. His return for 1877 was intended by him to give his indebtedness as \$9,000, and personal property at \$828, which was true and just. But the \$9,000 indebtedness was read as bona fide credits, and taxes both for city and county, are charged upon. Affiant really had \$9,000 debts, but, sad to say, never had \$9,000 credits. Please authorize the Assessor to correct the error and remit the tax arising therefrom.

February 14, 1880.

JOHN YOUNG.

Subscribed and sworn to by John Young, before me, this 14th February, 1880.

[SEAL.]

Milton H. Daniels, Notary Public.

Councilman McKay presented the following petition; which was referred to the Joint Committees on Water:

To the Honorable, the Mayor, Board of Aldermen, and

Common Council of the City of Indianapolis:

The undersigned, property owners on north Delaware street, and tax payers of the city of Indianapolis, respectfully petition your honorable body to pass an ordinance requiring the Water Works Company to lay a water main along said street from St. Marys street north to Home avenue. At St. Marys street there is now a dead end of pipe and a water plug, and the main asked for will connect this pipe at St. Marys street with the main running east and west on Home avenue. The proposed main will extend three squares, lined with many costly residences, all of which have inadequate fire protection, and the owners of which pay large sums as taxes annually into the city treasury. The expense to the city will be small, and

not great to the Water Works Company, as nearly all the parties owning the property are, or would be, regular consumers of water when such main should be laid.

We trust the consideration of our petition will be prompt and favorable.

Indianapolis, February 9, 1880.

(Signed)

Charles P. Jacobs, 50 feet; Amanda S. Jacobs, 50 feet; C. F. Rafert, 150 feet; J. F. Failey, 50 feet; William P. Fishback, 50 feet; A. A. Russell, 50 feet; J. A. Hanson, 73 feet; Jno. T. Dye, 100 feet; John M. Butler; W. H. H. Miller; Geo. D. Emery; Mrs. Alice Pierson.

Councilman Pearson offered the following motion; which was adopted:

That the Police Board be, and they are hereby, directed to issue an order prohibiting members of the police force from serving as delegates to any political convention, or acting as an officer on any election board; and that they be directed to dismiss from said force any man violating said order.

Councilman Rooker presented the following petition; which was referred to the Committee on Finance:

To the Mayor, Common Council, and Board of Aldermen of the City of Indianapolis:

The undersigned hereby represents unto your honorable bodies, that ever since the 30th of October, 1873, he has been the owner of lot 1 in J. H. McKernan's sub. of lot No. 12 of sq. 28 in Drake's add. to the city; that said lot is on Tinker street, between the first alley east of Tennessee street and the I., C. & L. R. R.; that soon after he owned this lot, he paid for grading and graveling the street in front thereof; that afterwards, in 1874, the then City Commissioners appraised \$145.00 as the benefits accruing to me by the widening of said street in front of said lot; that the undersigned had afterwards to pay his assessment for the re-improvement of said street occasioned by the widening thereof; but that he has never paid said sum of \$145 benefits, because of his inability to do so, and because that sum was too great, and because the lot was not worth much more than that sum; that the undersigned would be willing to pay a reasonable portion of said \$145.00, and try and do something with the lot, after this incumbrance is removed; if this cannot be done, I see no use to try and save anything out of the lot, &c.

Respectfully,

JOSEPH G. STEMAN.

Councilman Tucker offered the following motions; which were referred to the Board of Public Improvements:

That the Street Commissioner be, and is hereby, directed to fill all the chuck holes in the 20th ward.

That the Street Commissioner be, and is hereby, directed to lay a stone crossing across South street on the west side of Noble street.

Councilman Tucker presented the following petition; which was referred to the Joint Committees on Streets and Alleys:

To the Mayor, Common Council, and Board of Aldermen of the City of Indianapolis:

Gentlemen:—Your petitioners pray your honorable bodies to cause to be laid out, opened, and extended, Dillon street, to a width of sixty (60) feet, and running from a point on Dillon street where Cedar street intersects the same, near Harrison street, in a northerly direction to the Michigan road.

A plat of such proposed street is herewith filed, and made a part of this petition.

Respectfully, &c.,

Wm. H. English, Mrs. Mary Griffin, William
Hall, Timothy King.

Councilman Wiese offered the following motion ; which was adopted :

That the City Marshal be requested to notify the Union Railway Company, the Vandalia, I., C. & L., and all other railroad companies, and any corporations owning any switch-track crossing the east side of Tennessee street, corner of Louisiana street, to repair and place in good condition the crossing on the east side of Tennessee street.

On motion, the Common Council then adjourned.

JOHN CAVEN, Mayor,

President of Common Council.

Attest: JOS. T. MAGNER, City Clerk.